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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND BRANCH

UNITED STATES OF AMERICA,	)	No. CR-11-00938 SBA
Plaintiff,	)	
v.	)	
DIEGO LYTHELL ANDERSON,	)	STIPULATION AND <del>PROPOSED</del>
Defendant.	)	ORDER TO CONTINUE STATUS
	)	CONFERENCE TO FEBRUARY 7, 2012

The above-captioned matter is set on January 24, 2012 before this Court for a status conference. The parties request that this Court vacate that date and set this matter for status conference on February 7, 2012 at 10:00 a.m., and that the Court exclude time under the Speedy Trial Act between the date of this stipulation and February 7, 2012. The parties stipulate that the time is excludable from the time limitations of the Speedy Trial Act because the interests of justice are served by granting a continuance, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

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Such continuance is required because defense counsel needs to meet with his client and review evidence and plaintiff's counsel will be out of district for a trial between January 26, 2012 and February 3, 2012. This continuance will allow the reasonable time necessary for effective preparation and continuity of counsel, taking into account the exercise of due diligence.

As such, the parties respectfully request that the time between January 17, 2012 and February 7, 2012 be excluded under U.S.C. § 3161(h)(7)(A) and (B)(iv).

DATED: January 20, 2012

Respectfully submitted,

MELINDA HAAG  
United States Attorney

/s/ Christina McCall  
CHRISTINA McCALL  
Assistant United States Attorney

/s/ Jerome Matthews  
JEROME MATTHEWS  
Attorney for Diego Lythell Anderson

### ORDER

Based on the reason provided in the stipulation of the parties above, the Court hereby FINDS that for adequate preparation of the case by all parties and continuity of counsel, and in the interest of justice, pursuant to 18 U.S.C. sections 3161(h)(7)(A) and (B)(iv), an exclusion of time from January 18, 2012 to February 7, 2012 is warranted under the Speedy Trial Act. Based on these findings, IT IS HEREBY ORDERED THAT the hearing is continued until February 7, 2012 at 10:00 a.m., and time is excluded until February 7, 2012.

**IT IS SO ORDERED.**

DATED: 1-18-12

Saundra B. Armstrong  
SAUNDRA B. ARMSTRONG  
United States District Judge

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